

(9) CONCLUSION

For all of the above reasons, it is urged that the decision of the Examiner rejecting claims 1-9, 11-22, and 24-25 is in error and should be reversed.

In view of the above, favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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APPENDIX OF PENDING CLAIMS

1. **(Previously Presented)** A directly compressible tableting aid, comprising a xylitol content of more than 90% by weight and a content of at least one other polyol of less than 10% by weight, produced by dissolving the xylitol in a solvent and spray drying or fluidized bed granulating.

2. **(Previously Presented)** A directly compressible tableting aid, according to Claim 1, wherein polyols present in addition to xylitol are selected from the group consisting of mannitol and lactitol.

3. **(Previously Presented)** A directly compressible tableting aid, according to Claim 1, wherein it is obtainable by dissolving xylitol and at least one other polyol in water and spraying the resulting aqueous mixture in a stream of air at a temperature of from 120°C to 300°C.

4. **(Previously Presented)** A directly compressible tableting aid, according to Claim 1, wherein it is obtainable by dissolving xylitol and at least one other polyol in water and fluidizing the resulting aqueous mixture in a stream of air at a temperature of from 30°C to 110°C.

5. **(Previously Presented)** A directly compressible tableting aid according to Claim 1, wherein the xylitol and mannitol; xylitol and lactitol; or xylitol, mannitol and lactitol are employed as polyols.

6. **(Previously Presented)** A directly compressible tableting aid according to Claim 5, wherein the ratio of xylitol to mannitol is 90:10 to 98:2.

7. **(Previously Presented)** A directly compressible tableting aid according to Claim 5, wherein the ratio of xylitol to lactitol is 90:10 to 98:2.

8. **(Previously Presented)** A directly compressible tableting aid according to Claim 5, wherein the xylitol:mannitol:lactitol ratio is between 90:1:9 or 90:9:1 and 98:1:1.

9. **(Previously Presented)** A directly compressible tableting aid according to Claim 1, wherein the water content is less than 1% by weight.

10. **(Currently Amended)** A process for producing a directly compressible tableting aid comprising a xylitol content of more than 90% by weight and a content of at least one other polyol of less than 10% by weight, produced by dissolving the xylitol in a solvent and spray drying or fluidized bed granulating, comprising:

- a) producing an aqueous solution by dissolving xylitol and at least one other polyol, the resulting mixture having a xylitol content of more than 90% by weight based on the total polyol content,

- b1) spraying the resulting mixture in a stream of air at a temperature of from 120°C to 300°C, evaporation of the water taking place, or
- b2) fluidizing the resulting mixture in a stream of air at a temperature of from 30°C to 110°C, evaporation of the water taking place, and
- c) isolating the tableting aid.

11. (Previously Presented) A method for producing a shaped or unshaped polyol composition by melt extruding a directly compressible tableting aid mixture according to Claim 1.

12. (Previously Presented) A composition or formulation comprising a directly compressible tableting aid according to Claim 1.

13. (Previously Presented) A solid form or compact, comprising a directly compressible tableting aid according to Claim 1.

14. (Previously Presented) A solid form or compact according to Claim 13, comprising one or more water-insoluble and/or water-soluble additions homogeneously dispersed.

15. (Previously Presented) A solid form or compact according to Claim 13, comprising citric acid as addition.

16. (Previously Presented) A solid form or compact according to Claim 13, comprising at least one active pharmaceutical ingredient, sweetener, colorant, vitamin or trace element.

17. (Previously Presented) A solid form or compact according to Claim 16, comprising at least one active pharmaceutical ingredient which is an analgesics or antacid.

18. (Previously Presented) A solid form or compact according to Claim 16, comprising at least one sweetener which is acesulfame K, aspartame, saccharin, cyclamate, sucralose or neohesperidine DC.

19. (Previously Presented) A directly compressible tableting aid according to Claim 5, wherein the ratio of xylitol to mannitol is in a range between 90:10 to 95:5.

20. (Previously Presented) A directly compressible tableting aid according to Claim 5, wherein the ratio of xylitol to lactitol is in a range between 90:10 to 95:5.

21. (Previously Presented) A tablet composition comprising more than 90% by weight xylitol and less than 10% of at least one other polyol wherein the composition is produced by dissolving xylitol and at least one other polyol and spray drying or fluidized bed granulating the resulting mixture.

22. (Previously Presented) A process for producing a tablet composition, comprising making an aqueous solution of xylitol and at least one other polyol, the resulting solution having a xylitol content of more than 90% by weight based on the total polyol content.

23. (Currently Amended) A process for producing a tablet composition, comprising:

making an aqueous solution of xylitol and at least one other polyol, the resulting solution having a xylitol content of more than 90% by weight based on the total polyol content,

b1) spraying the resulting mixture in a stream of air at a temperature of 120°C - 300°C, evaporation of the water taking place, or

b2) fluidizing the resulting mixture in a stream of air at a temperature of 30°C - 110°C, evaporation of the water taking place, and

c) isolating the tableting aid.

24. (Currently Amended) A tableting aid according to claim 1, wherein the tableting aid has a homogenous solution distribution on a surface of xylitol and at least one other polyol.

25. (Currently Amended) A process according to claim 22, wherein the resulting solution is homogeneous.